



#3

Attorney Docket No.: 122342-1002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Robert Valle Gaines

Serial No.: 10/032,265

Filing Date: December 21, 2001

Group No.: 2161

For: METHOD, APPARATUS AND SYSTEM FOR IDENTITY
AUTHENTICATIONAssistant Commissioner for Patents
Washington, D.C. 20231RECEIVED
MAR 22 2002
Technology Center 2100INFORMATION DISCLOSURE STATEMENT

As listed on the accompanying form PTO-1449, submitted herewith are copies of the indicated references which applicant believes may be material to the examination of the above-identified application, and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Further, the filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Written notification that the enclosed references have been considered in their entirety by return of a copy of the enclosed form, completed by the Examiner, is respectfully requested.

IDENTIFICATION OF TIME OF FILING THE
INFORMATION DISCLOSURE STATEMENT

- ☐ This Information Disclosure Statement is being filed within three months of the filing date of the national application.
- ☐ This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in §1.491 in an international application.

☒ [X] This Information Disclosure Statement is being filed before the mailing date of the First Office Action on the merits. Hence, this IDS is believed to be timely filed in accordance with 37 CFR § 1.97(b).

☐ [] This Information Disclosure Statement is being filed after three months of the filing date of the national application or after three months of the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office Action on the merits, but before the mailing date of either a final action under § 1.113 or a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application.

Accompanying this transmittal is:

☐ [] a statement specified in 37 CFR § 1.97(e); or

☐ [] a fee set forth in 37 CFR § 1.17(p)

☐ [] This Information Disclosure Statement is being filed after the mailing date of a final action under § 1.113, or a notice of allowance under § 1.311 but before the payment of the issue fee.

Accompanying this transmittal is:

1. a statement as specified in 37 CFR § 1.97(e); and

2. a fee set forth in 37 CFR § 1.17(p)

STATEMENT FOR INFORMATION DISCLOSURE STATEMENT 37 CFR 1.97(e)
(Only if Required Above)

I, the person(s) signing below hereby states that:

☐ [] each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 CFR § 1.97(e)(1); or

☐ [] no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in the counterpart foreign application to the knowledge of the person signing the certification after making reasonably inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 CFR § 1.97(e)(2).

FEE PAYMENT

☐ attached is a check in the amount of \$ _____

☐ charge Deposit Account No. 07-0153
in the amount \$ _____

A duplicate of this request is attached. Applicant believes no additional fees are due for the filing of this IDS. However, if any additional fees are due, or any overpayments have been made, please charge, or credit, Deposit Account No. 07-0153.

Dated: March 19, 2002

Carol M. Nielsen
Carol Nielsen

Attorney for Applicant
Registration No.: 37,676
Gardere Wynne Sewell LLP
3000 Thanksgiving Tower
1601 Elm Street
Dallas, TX 75201-4761
(713) 276-5383
(713) 276-5555 (FAX)

CERTIFICATE OF MAILING


Date of Deposit: 3-19-02

I hereby certify that this correspondence is being deposited with the United States Postal Service via Express Mail service under 37 C.F.R. 1.10 on the date indicated above and addressed to: Assistant Commissioner for Patents, Washington, DC 20231.

Mark Disisto
Mark Disisto

Express Mail Label No. EL 723941425 US

03-20-02 2161



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
122342-1002

Re Application Of: Robert Valle Gaines

Serial No. 10/032,265	Filing Date 12/21/2001	Examiner Unknown	Group Art Unit 2161
--------------------------	---------------------------	---------------------	------------------------

Title: **METHOD, APPARATUS AND SYSTEM FOR IDENTITY AUTHENTICATION**

RECEIVED
MAR 22 2002
Technology Center 2100

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

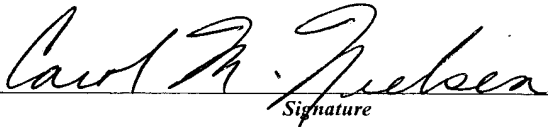
Transmitted herewith is:

1. Information Disclosure Statement;
2. Information Disclosure Citation with all patents and articles referenced therein; and
3. Return Postcard

in the above identified application.

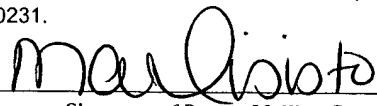
☐ No additional fee is required.
☐ A check in the amount of _____ is attached.
☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **07-0153** as described below. A duplicate copy of this sheet is enclosed.

☐ Charge the amount of _____
☒ Credit any overpayment.
☒ Charge any additional fee required.


Signature
Carol M. Nielsen
Reg. No. 37,676
Gardere Wynne Sewell LLP
Patent Section
1601 Elm Street, Suite 3000
Dallas, Texas 75201
(713) 276-5383 phone
(713) 276-5555 fax

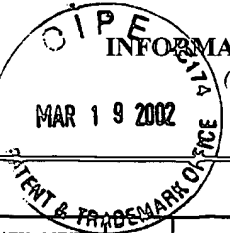
Dated: **March 19, 2002**

I certify that this document and fee is being deposited on **3-19-02** with the U.S. Postal Service as express mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

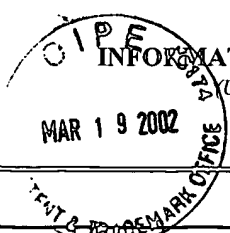

Signature of Person Mailing Correspondence

Mark Disisto
Typed or Printed Name of Person Mailing Correspondence

CC:

 <p>CIPE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) MAR 19 2002 PATENT & TRADEMARK OFFICE</p>				Docket Number (Optional) 122342-1002		Application Number 10/032,265		
				Applicant(s) Robert Valle Gaines				
				Filing Date 12/21/01		Group Art Unit 2161		
U.S. PATENT DOCUMENTS								
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
		5,963,926	10/05/99	Kumomura	705	41	03/04/97	
		5,960,100	09/28/99	Hargrove	382	124	07/23/97	
		5,933,812	08/03/99	Meyer, et al.	705	15	04/12/95	
		5,920,642	07/06/99	Merjanian	382	126	04/28/97	
		5,917,913	06/29/99	Wang	380	25	12/04/96	
		5,898,154	04/27/99	Rosen	235	379	01/11/95	
		5,870,723	02/09/99	Pare, Jr. et al.	705	39	08/29/96	
		5,862,223	01/19/99	Walker et al.	380	25	07/24/96	
		5,815,657	09/29/98	Williams et al.	395	186	04/26/96	
		5,815,252	09/29/98	Price-Francis	356	71	11/21/95	
		5,811,771	09/22/98	Dethloff	235	380	05/22/96	
FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
		Joanna Glasner, "Goodbye Wallet; Hello Chip" WIRED NEWS, September 30, 1999						
EXAMINER				DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								

RECEIVED
MAR 22 2002
Technology Center 2100

 <p>INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)</p>				Docket Number (Optional) 122342-1002		Application Number 10/032,265		
				Applicant(s) Robert Valle Gaines				
				Filing Date 12/21/01		Group Art Unit 2161		
U.S. PATENT DOCUMENTS								
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
		5,805,719	09/08/98	Pare, Jr. et al.	382	115	03/18/97	
		5,748,765	05/05/98	Takhar	382	124	05/26/94	
		5,710,884	01/20/98	Dedrick	395	200.47	03/29/95	
		5,509,083	04/16/96	Abtahi et al.	382	124	06/15/94	
		5,227,612	07/13/93	Le Roux	235	379	01/28/91	
		5,193,855	03/16/93	Shamos	283	117	05/30/90	
		4,961,142	10/02/90	Elliott et al.	364	408	06/29/88	
		4,877,947	10/31/89	Mori	235	381	07/30/87	
		4,799,156	01/17/89	Shavit et al.	364	401	10/01/86	
		4,734,858	03/29/88	Schlaflly	364	408	11/26/84	
		4,667,087	05/19/87	Quintana	235	380	03/31/86	
FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
EXAMINER					DATE CONSIDERED			
<p>EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>								

RECEIVED
 MAR 22 2002
 Technology Center 2100

DISCLOSURE CITATION
(Use several sheets if necessary)

Docket Number (Optional)
122342-1002

Application Number
10/032,265

Applicant(s)
Robert Valle Gaines

Filing Date
12/21/01

Group Art Unit
2161

U.S. PATENT DOCUMENTS

INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,634,845	01/06/87	Hale et al.	235	350	12/24/84
		4,582,985	04/15/86	Lofberg	235	380	11/12/82
		4,569,421	02/11/86	Sandstedt	186	39	09/22/83
		4,532,508	07/30/85	Ruell	340	825.34	04/01/83
		4,530,067	07/16/85	Dorr	364	900	06/25/82
		4,523,087	06/11/85	Benton	235	379	12/07/82
		4,277,837	07/07/81	Stuckert	364	900	02/11/80
		4,202,120	05/13/80	Engel	40	2.2	04/10/78
							RECEIVED
							MAR 22 2002
							Technology Center 2100

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.